

NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE

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 Wilmington, North Carolina
 Telephone (910) 798-7165
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planningdevelopment.nhcgov.com



CONDITIONAL ZONING DISTRICT Application

Applicant/Agent Information	Property Owner(s) <i>If different than Applicant/Agent</i>
Name CINDEE WOLF	Owner Name CH BOUNTIFUL OPERATING, L.L.C.
Company DESIGN SOLUTIONS	Owner Name 2 MICHAEL J ROKOSKI - MANAGER
Address PO BOX 7221	Address PO BOX 1328
City, State, Zip WILMINGTON, NC 28406	City, State, Zip WRIGHTSVILLE BEACH, NC 28480
Phone 910-620-2374	Phone 910-256-2514
Email CWOLF@LOBODEMAR.BIZ	Email MJROKOSKI@GMAIL.COM
Subject Property Information	
Address/Location 561 BOUNTIFUL LANE	
Parcel Identification Number(s) 322017.01.6766 [R03300-001-037-000]	
Total Parcel(s) Acreage 16.76 ACRES +/-	
Existing Zoning and Use(s) (CZD) R-10 / VACANT - APPROVED FOR 55 TOWNHOME-STYLE RESIDENTIAL UNITS	
Future Land Use Classification GENERAL RESIDENTIAL	
Application Tracking Information (Staff Only)	
Case Number Z18-09M	Date/Time received: 10/10/2019
Received by: BS	

Proposed Zoning, Use(s), & Narrative

Proposed Conditional Zoning District: (CZD) R-10 / Modification **Total Acreage of Proposed District:** 16.76 AC.

Only uses allowed by right in the corresponding General Use District are eligible for consideration within a Conditional Zoning District. Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (please provide additional pages if needed).

The purpose of the R-10 district is to encourage medium density development where adequate services are already available. The proposal is to substitute single-family lots for the previously approved attached townhome-style housing. The division is still proposed by performance development standards, but reduces the total units from 55 to 35. They remain clustered in the same limits of disturbance thereby preserving more land area for open space.

Proposed Condition(s)

Within a Conditional Zoning District, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding General Use District regulations may be added. These conditions may assist in mitigating the impacts the proposed development may have on the surrounding community. Please list any conditions proposed to be placed on the Conditional Zoning District below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process.

Reference the site plan for project layout. The proposed layout clusters the lots to minimize the limits of disturbance and clearing of existing vegetation - thereby adding natural buffering. A private street right-of-way with the required improved x-section will be dedicated for vehicular access. A sidewalk will be constructed along one side of the street for safe pedestrian circulation.

Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Transportation Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

ITE Land Use: 210 - SINGLE-FAMILY HOMES

Trip Generation Use and Variable (gross floor area, dwelling units, etc.): PER DWELLING UNIT @ 35 LOTS

AM Peak Hour Trips: 26 PM Peak Hour Trips: 35

CONSIDERATION OF A CONDITIONAL ZONING DISTRICT

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance objective and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of very dissimilar character where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community-at-large. The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Use Zoning District meets the following criteria.

1. How would the requested change be consistent with the County's policies for growth and development? (For example: the Comprehensive Plan and applicable small area plans)

The policies for growth and development encourage safe and affordable housing to be available to every citizen. Sustainability of the County depends on sensible in-fill and maximizing use of lands already accessible to urban services. Increased density of development not only adds to the tax base, but makes better use of the existing infrastructure.

2. How would the requested Conditional Zoning District be consistent with the property's classification on the Future Land Use Map located within the Comprehensive Plan?

This property is already zoned for moderate density and the modification proposal only modifies the housing product type from an attached/ townhome-style to single-family detached homes. The area already has public services available to it. Clustering by performance standards allows for conservation of more environmentally sensitive land.

3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?

The construction of the I-140 by-pass with an interchange at Castle Hayne Road has made this area of the County more attractive for housing opportunities because of the increased ease of commuting from home to jobs and services. The area of the subject site has a mixture of R-20, R-15 and R-10 districts. Adding modest increase of density for new development is not uncommon.

APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Applications must be complete in order to process for further review.

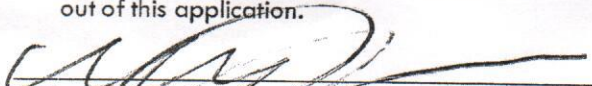
Required Information		Applicant Initial	Staff Initial
1	Complete Conditional Zoning District application.	CAW	BS
2	Application fee – (\$600 for 5 acres or less, \$700 for more than 5 acres. An additional \$300 fee must be provided for applications requiring TRC review).	CAW	BS
3	Community meeting written summary.	PENDING	
4	Traffic impact analysis (for uses that generate more than 100 peak hour trips).	N/A	N/A
5	Legal description (by metes and bounds) or recorded survey Map Book and Page reference of the property requested for rezoning.	CAW	✓ PREVIOUS APP
6	<p><u>Site Plan including the following elements:</u></p> <ul style="list-style-type: none"> • Tract boundaries and total area, location of adjoining parcels and roads. • Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used. • Development schedule including proposed phasing. • Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas. • All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage. • The one hundred (100) year floodplain line, if applicable. • Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance. • Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by State law or Local Ordinance. • Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable). 	CAW	BS
7	1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	CAW	BS
8	1 PDF digital copy of ALL documents AND plans.	CAW	BS

ACKNOWLEDGEMENT AND SIGNATURES

By my signature below, I understand and accept all of the conditions, limitations and obligations of the Conditional Zoning District zoning for which is being applied. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving why this requested change is in the public interest. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

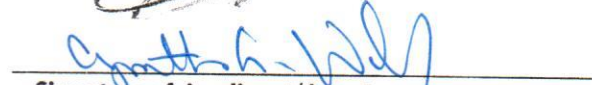
1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and commitments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.



Signature of Property Owner(s)

Michael J Rokoski

Print Name(s)



Signature of Applicant/Agent

Cindee Wolf / Design Solutions

Print Name

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper (approximately 2-3 weeks before the hearing), the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.

